



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 15, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Federal Advocacy Services

RECOMMENDATION:

That Council authorize the Public Works Director to execute a \$25,200 annual contract, in a form approved by the City Attorney, with Carpi Clay & Smith (Smith) for federal services to advocate for Surface Transportation Reauthorization and Lower Mission Creek Project funding, with an option to renew the contract for two additional years.

DISCUSSION:

The multi-year Federal Surface Transportation Authorization Legislation (FTL), known as the "Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU), is up for re-authorization. This legislation, typically on a six-year reauthorization schedule, is similar to its predecessor, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), is intended to meet the country's changing transport needs, and supplies funds and a framework to maintain and grow a vital transportation infrastructure.

The FTL authorizes highway, rail, transit, and other intermodal projects to draw money from the Highway Trust Fund which is funded by the Federal Gas Tax.

The prior FTL guaranteed funding for a total of \$224.1 billion and represented the country's largest surface transportation investment to date. A majority of the funding goes to the states for allocation to programs such as the State's Safe Routes to School Program, the Surface Transportation Improvement Program, and the Highway Bridge Program. The City has competed with other local agencies for project funding from these programs. California was estimated to have received approximately \$17.1 billion in apportionments for Fiscal Years 2005-2009. Recently, the FTL has provided a funding mechanism for special projects beyond state funding levels that meet what is considered national economic significance. The question of funding special projects is currently being debated in the Federal Legislature. Even with this debate, the next FTL Reauthorization Bill is anticipated to have some special projects at some level, possibly with more restrictions. It is to the benefit of the City to continue seeking assistance with

special transportation project funding at the legislative level, and to further pursue support at the federal administrative programming level, such as the Federal Highway Administration (FHWA) and the Army Corps of Engineers (Corps).

In Fiscal Year 2006, staff retained Smith to assist with preparing and presenting its needs for the anticipated 2009 FTL Reauthorization Bill. The Federal Legislature is still considering this Reauthorization. Initial efforts identified projects that are of national economic significance, and addressed nationally significant City access needs, such as improved regional City access and workplace surface transportation. Then, in October 2007, Council approved a three-year contract with Smith to promote projects that included, but were not limited to, the Cottage Hospital Interchange Project, Metrolink Rail Extension Improvements, Highway 101/217 Interchange Construction, Santa Barbara Intermodal Train Station Flood Protection, and the Pedestrian Access at Sycamore Creek and Hitchcock Avenue. The City continues to pursue federal funding and Corps support for the Lower Mission Creek (LMC) Project in coordination with the Santa Barbara County Flood Control District and Council transportation priorities.

Although annual transportation appropriations from Congress may be obtained in limited amounts, staff believes that FTL Reauthorization legislation may be the only source of adequate matching funds available to the City that will help encourage additional state and local funding. The next Reauthorization local request could be approximately \$25-30 million, which would provide adequate funding to develop approved projects and advance them to construction-ready status for the next Reauthorization funding.

The City and County have been successful in getting LMC funding for final design. Progress to construct the LMC Project is being made locally by using local and other grant funds such as State Proposition 50 funds for channel construction. However, due to the significant cost of the LMC Project, getting Corps and/or other federal construction funding is still anticipated to be necessary to complete the Project.

BUDGET/FINANCIAL INFORMATION:

There are sufficient appropriated funds in the Streets Funds Capital budget to cover contract costs. Under terms of the contract, expenditures are not to exceed \$2,100 per month at \$25,200 per year, with a 30 day termination clause. The agreement includes an option to renew for an additional two years.

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office